AGN. NO._____

MOTION BY SUPERVISORS SHEILA KUEHL AND MARK RIDLEY-THOMAS

January 15, 2019

Creating Solutions to Affirmatively Further Fair Housing in Los Angeles County

In 2015, President Obama instructed the U.S. Department of Housing and Urban Development (HUD) to draft federal guidelines known as the Affirmatively Furthering Fair Housing Final Rule. The rule intended to comply with an unmet mandate included in the Fair Housing Act of 1968. This mandate requires communities to address decades of discriminatory housing and lending practices by incorporating practices and policies that actively create integrated communities. In January 2018, the Trump administration suspended the rule, effectively undoing the significant strides taken to build integrated communities.

As a response to the administration's suspension, Governor Brown signed AB-686 (Bill), Affirmatively Further Fair Housing, into law in September 2018 reinforcing the State's commitment to creating fair housing opportunities and inclusive communities for all California residents. The Bill supports Presidents Obama's final rule by requiring public agencies to administer their programs and activities relating to housing and community development in a manner that affirmatively furthers fair housing, and to not

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take any action that is materially inconsistent with the obligation.

On April 24, 2018, the Board of Supervisors (Board) reinforced Los Angeles County's commitment to creating fair housing practices by adopting a motion instructing the Community Development Commission/Housing Authority County of Los Angeles (CDC/HACoLA) to provide a report back in 90 days with recommendations and any associated funding needed to develop a robust plan to affirmatively further fair housing. On July 24, 2018, CDC/HACoLA released the Affirmatively Furthering Fair Housing in Los Angeles County report, which comprises a detailed assessment on the County's current efforts as well as specific recommendations that go beyond what is required by federal law to create inclusive and integrated communities throughout the County.

CDC/HACoLA sought input from various community stakeholders and subject matter experts in developing the recommendations including representatives from the Department of Regional Planning (DRP), the Chief Executive Officer (CEO), the Los Angeles Homeless Services Authority (LAHSA), and the Housing Rights Center (HRC). The report highlights the need for increased programs and policies that protect against housing discrimination and provide financial assistance to individuals with limited means. This includes creating source-of-income discrimination protections that expand the prohibition of discrimination to rental subsidies, the expansion of current homeownership programs for residents with limited means, and stabilization subsidy programs that can offer short-term and long-term rental assistance to at-risk or displaced families. Additionally, the report recommends the County expand fair housing services for residents, create a partnership between HACoLA and landlords to incentivize program participation, and engage in an in-depth gentrification study that will

provide a broader interpretation of displacement and neighborhood changes and develop the capacity to identify areas at risk of such occurrences. Finally, the report recommends that the County create an acquisition fund to acquire properties in gentrifying neighborhoods to alleviate the displacement of residents with limited means. In an effort to combat decades of discriminatory practices and create truly integrated communities throughout the County, the Board should adopt the recommendations from the July 24th report.

On December 21st, 2018 the Los Angeles Homeless Services Authority (LAHSA) released the Report and Recommendations of the Ad Hoc Committee on Black People Experiencing Homelessness. The Ad Hoc Committee on Black People Experiencing Homelessness was an extensive effort launched in April 2018 that engaged hundreds of stakeholders to 1) examine factors contributing to the overrepresentation of Black people among the population experiencing homelessness, 2) identify opportunities to increase racial equity within the homeless service delivery system, and 3) develop recommendations to more effectively meet the needs of Black people experiencing homelessness. Many of the recommendations in the report mirror the recommendations in CDC/HACoLA's July 24th report back, including:

- Enforcement against discriminatory practices in housing including housing subsidy discrimination;
- Expansion of source of income discrimination protections;
- Enhancement of funding for Fair Housing investigations and enforcement;
- Strengthening of housing location and landlord engagement;

- Targeted efforts to support homeownership; and
- Targeted efforts to prevent loss of homeownership.

All of these rules, laws, reports and recommendations point to an urgent need to affirmatively further fair housing. The County must now dedicate the resources to begin to implement these recommendations.

WE, THEREFORE, MOVE that the Board of Supervisors, also acting as the Board of Commissioners of CDC and HACoLA:

1. Direct the Chief Executive Officer (CEO) to report back at the time of the mid-year budget adjustment on February 12, 2019, with a recommended action to allocate $5,000,000 to and/or from the Affordable Housing Budget Unit in Fiscal Year 2018-19 to specifically support County programs to affirmatively further fair housing;
2. Direct the CEO to include programs to affirmatively further fair housing in the Affordable Housing Programs Budget Unit in future fiscal years;
3. Direct CDC/HACoLA to report back in 90 days with a budget and implementation plan to implement the recommendations in the July 24, 2018 Affirmatively Furthering Fair Housing in Los Angeles County report, as well as those recommendations related to fair housing in the Report and Recommendations of the Ad Hoc Committee on Black People Experiencing Homelessness, including, but not limited to, fair housing testing, tenant education, landlord incentives and a gentrification/displacement study;

4. Direct CEO and CDC/HACoLA to report annually to the Board on the progress of efforts to affirmatively further fair housing in Los Angeles County in the Annual Affordable Housing Outcomes Report; and
5. Direct County Counsel, in consultation with CDC/HACoLA, within 120 days to prepare a source of income protection ordinance that would prevent landlord discrimination against housing applicants with government-provided rental assistance including, but not limited to, Section 8 Housing Choice Vouchers, other federally-funded rental assistance programs, the Flexible Housing Subsidy Pool, and rapid re-housing rental assistance.

S: MR/Creating Solutions to Affirmatively Further Fair Housing in Los Angeles County